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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,403	12/20/2001	Ian Keith Hatton	P32162C1	6756
7590 09/03/2004			EXAMINER	
GLAXOSMITHKLINE			HUANG, EVELYN MEI	
Corporate Intel	lectual Property - UW:			
P.O. Box 1539			ART UNIT	PAPER NUMBER
King of Prussia	, PA 19406-0939		1625	

DATE MAILED: 09/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)
		10/032,403	HATTON ET AL.
Office Action Summary		Examiner	Art Unit
		Evelyn Huang	1625
Period fo	The MAILING DATE of this communication r Reply		
THE N - Exten after S - If the - If NO - Failur Any re	DRTENED STATUTORY PERIOD FOR REMAILING DATE OF THIS COMMUNICATION sions of time may be available under the provisions of 37 CFR SIX (6) MONTHS from the mailing date of this communication period for reply specified above is less than thirty (30) days, a period for reply is specified above, the maximum statutory period for reply within the set or extended period for reply will, by steply received by the Office later than three months after the modern patent term adjustment. See 37 CFR 1.704(b).	N. R 1.136(a). In no event, however, may a reply within the statutory minimum of thi riod will apply and will expire SIX (6) MOI atute, cause the application to become A	reply be timely filed  rty (30) days will be considered timely.  NTHS from the mailing date of this communication.  BANDONED (35 U.S.C. § 133).
Status			
1)	Responsive to communication(s) filed on _		
	<u> </u>	This action is non-final.	
3)□	Since this application is in condition for allo	wance except for formal mat	ters, prosecution as to the merits is
	closed in accordance with the practice unde		
Dispositio	on of Claims		
4)	Claim(s) is/are pending in the applic	ation.	•
	a) Of the above claim(s) is/are without		
	Claim(s) is/are allowed.		
6)□	Claim(s) is/are rejected.		
	Claim(s) is/are objected to.		
	Claim(s) are subject to restriction an	d/or election requirement.	
Applicatio	on Papers		
9)□ T	The specification is objected to by the Exam	iner.	
	he drawing(s) filed on is/are: a)☐ a		by the Examiner.
	Applicant may not request that any objection to t		
	Replacement drawing sheet(s) including the corr		
	he oath or declaration is objected to by the		
Priority u	nder 35 U.S.C. § 119		
	acknowledgment is made of a claim for fore ☐ All b)☐ Some * c)☐ None of:	ign priority under 35 U.S.C. §	3 119(a)-(d) or (f).
•	1. Certified copies of the priority docume	ents have been received.	
2	2. Certified copies of the priority docume		pplication No
3	3. ☐ Copies of the certified copies of the p		<del></del>
	application from the International Bure		
* Se	ee the attached detailed Office action for a l	ist of the certified copies not	received.
ttachment(		_	
	of References Cited (PTO-892) of Draftsperson's Patent Drawing Review (PTO-948)		Summary (PTO-413) s)/Mail Date
	ation Disclosure Statement(s) (PTO-1449 or PTO/SB/		nformal Patent Application (PTO-152)
	No(s)/Mail Date	6) Other:	

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## Election/Restrictions

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 13-22 in part, drawn to a compound wherein one of Z1-Z3 is N, the others and Z4, Z5 are CH, i.e. a naphthyridine compound, the composition and method of use.

Group II, claim(s) 13-22 in part, drawn to a compound wherein Z5 is N, Z1-Z4 are CH, i.e. a quinoxaline compound, the composition and method of use thereof.

Group III, claim(s) 13-22 in part, drawn to a compound wherein Z4 is N, Z1-Z4 are CH, i.e. a phthalazine compound, the composition and method of use thereof.

- 2. The inventions listed as Groups I-III do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: the napthyridine compound of Group I, the quinoxaline compound of Group II, and the phthalazine compound of Group III would not have been of sufficient structural similarity to allow for the Markush grouping exhibiting utility, absent some teaching of equivalence in the prior art.
- 3. Applicant is advised that the reply to this requirement to be complete must include an election of the invention and a species within the elected invention to be examined even though the requirement be traversed (37 CFR 1.143).

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- 4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).
- 5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evelyn Huang whose telephone number is 571-272-0686. The examiner can normally be reached on Tuesday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cecilia Tsang can be reached on 571-272-0562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Evelyn Huang Primary Examiner

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